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Written statement* submitted by the Egyptian Organization for Human Rights, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[15 February 2015]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Egyptian Organization for Human Rights Statement

concerning Egypt's protest law

Egypt has suffered under the yoke of dictatorship for long decades, with absolute disregard for human rights and dignity. However, that changed when in January 2011 the masses flooded the streets of Cairo and other major cities across Egypt demanding Bread, Freedom, Social Justice, and Human dignity. The popular will of the Egyptian people brought down President Mubarak's 3 decades long regime. A couple of years later it, on the 30th of June, 2013, the masses took to the streets once more demanding the resignation of Muslim Brotherhood President Morsi whose disastrous one year in office created a serious setback to human rights, after he issued what he called a constitutional declaration immunizing his decisions from Judicial oversight. In addition to that, he violently repressed his opponents putting the country on the verge of civil war. In response to the people's wishes, and due to Mr. Morsi's refusal to resign in defiance to the popular uprising against him, the Egyptian military ousted him thereby granting the demands of the people's revolution.

Over the past year, Egypt has witnessed considerable progress with regards to human rights in the constitutional context. The new Egyptian constitution for the first time has human rights as one of its pillars, reaffirming the principles of human rights stipulated by international human rights treaties and conventions. Among the major breakthroughs this new constitution has is gender equality, freedom of religion, freedom of speech, and freedom of assembly.

Nevertheless, the results on the ground have not fully materialized yet. In November 2013 a few months before the inauguration of the new constitution, the transitional authorities issued a highly controversial protest law that restricts the right to hold protests and demonstrations, and other forms of popular political expression. The transitional government issued this law in the absence of an elected parliament to approve it, and before the promulgation of the constitution making it lack any sustainable legitimacy. The Law obliges anyone wishing to hold any sort of demonstration to get a permit from his or her district police station, and if the police refuses to grant the permit, then the appliers have to go to court. This very restrictive process collides with the constitution's 73rd article that reads as follows, "*Citizens have the right to organize public congregations, processions, demonstrations, and all forms of peaceful protest without any kind of weapons with a prior notification according to the law. Moreover the right of private peaceful assembly is guaranteed without prior notification, and security personnel are prohibited from attending, observing, or spying on it.*" The constitution in article 73 clearly guarantees the right to peaceful assembly with only a prior notification not a permit as stipulated by this very controversial law. The Egyptian National Council for Human Rights has publicly stated its reservations on the law, and has proposed a number of amendments to the Egyptian government. However, the Egyptian government was not very receptive, and so far has been very reluctant to abrogate or amend the controversial law. The Egyptian Organization for Human Rights urges the Egyptian government amend the protest law so that it can be in accordance with the Egyptian constitution and international standards so that the freedom of assembly and expression of each and every Egyptian citizen is guaranteed. The Egyptian Organization for Human Rights has submitted a list of over 200 names of young men who have been given prison sentences because of that law to the Egyptian president. This list was submitted after he promised more than once to review the names of detained protesters, and pledged to release anyone who has been wrongfully detained for a violation they did not commit.

In conclusion, the Egyptian Organization for Human Rights implores his Excellency President Abdel Fattah Al Sisi to grant a presidential pardon to any one imprisoned due to this restrictive unconstitutional law, and also demands that Egyptian authorities amend the law as soon as possible as it presents a serious impediment on Egypt's road to democracy and freedom.